pulsed, but the strong German army finally forced a retirement of the Russians to entrenchments they had

tacking in heavy force in an attempt to force a passage of the moustains sage of the mountains at Vyshkow. Their onslaughts are

OFFICIAL GERMAN REPORT.

6.000 Russians Captured in Four Days, Claim from Berlin

BERLIN, (by wireless to Sayville. On the East Prussian frontier re-BERLIN, (by wires.

L. I.) Feb. 5. (Associated Press)—The forman Army Headquarters Staff to-day gave out the fellowing statement:
"On the whole western front, except for an isolated French attack Gormans to the east of Bolimow (east of Lowics) were equally unsuenorthwest of Perthes, which was unnorthwest of Per

OFFICIAL FRENCH REPORT.

German Trench on Road to Lille Blown Up and Taken, Says Paris

day at the French War Office:

PARIS, Peb. 5 (Associated Press), were e er killed or taken prisoners.

Following is the report given out "Our artillery slienced the batteries of the enemy at a point near Adiater "In Beigiam German aviators yes- [to the south of Arras]; near Posieres relay showed great activity. set activity. [northeast of Albert], near Ham sent given out last (northwest of Peronno), as well as in

night reported the occupation of a the sector of Pailuy [south of Noyon.] trench of the enemy to the west of 'There is nothing new in the region the road from Arras to Lille. This of Perthes. In the Argonne there was the road from Arras to Lille. This irrench was a cause of annoyance to the troops occupying the positions. This attack, which in the beginning took from us about 100 yards of cast of this read. Consequently we hiew it up with a mise, and immeintely afterward a detachment of our not only getting back this 100 yards but in gaining ground beyond yards but in gaining ground beyond watery installed itself securely in the where our lines had been previously. "In the Vosges yesterday saw artillery exchanges. Along the rest of the front there is nothing to report."

KATZENBERGER MUST

STICK TO HIS NAME

Gourt Is Neutral and Refuses to

Legally Change It to

Kaye.

William Katsenberger, a wealthy

etired business man of No. 1 West

Ninety-fourth Street, and his son,

William De Young Katsenberger, ap-

name changed to Kaye.

nected with business.

"In these countries," it

STOLE MILLION DOLLARS;

Is Found Dead in

New Orleans.

PHILADELPHIA, Pa., Feb. L.

Word has been received here of the death in New Orleans of George M.

Vagner, a fugitive from justice since

fay, 1913, when he was charged with

nisappropriating nearly a million

and from estates of which he was

NEARLY \$2,000,000,000

PETROGRAD (via London), Feb. 5. The Budget Committee of the Duma in its estimates for 1915 places revenues at 9,122,000,000 rubles (\$1,868,000,000); ex-

000,006; extraordinary expenditures, 184,-000,006 rubies (\$47,000,000).

ON THE WAR THIS YEAR.

profitable investments. RUSSIA TO SPEND

3.000,000 Men in British Army, Says Report to Parliament

mates, to which Parliament will de-rote the first part of ment week's musion, give the number of effective of Commons opportunity for the dis-cussion of each heading, while the Government may spend whatever is necessary under these various in the form of the setimates, as so rote the-first part of next week's

FULL NEUTRALIZATION OF COMMERCE BETWEEN THE AMERICAS PROPOSED

WARRINGTON, Feb. 5.—Complete patrulisation of commerce between American in ships of all flag the process to day by deplement of the of Argantina before the Chamber of Commerce of the United States. "I maintain that the complete neutralization of inter-American commerce," said he, "ought to be recognised, and therefore I entertain the hope—or more than that, I may say I feel the cortainty—that we would be able to have the countries at war feel the certainty—that we would be able to have the countries at war agree in establishing the rule that suring the present war no vessel engaged exclusively in the trade between American points shall be subject to search, detention or capture by a belligarent, no matter what fing the files, so long as she is engaged in

"people of German names, although american citizens, by reason of the animosity engendered by the war are subject to insult, impediments and annoyance."

To relations with all of them bening the sorrowful conditions is a consequence our probables to the maximum.

Denying as a consequence our probables in the sorrowful conditions is the sorrowful conditions in the sorrowful conditions is the sorrowful conditions.

PRESIDENT REBUKES ST. LOUIS PASTOR WHO GES ARMS EMBARGO.

RUSSIAN REPORT OF SINKING DESTROYER DENIED BY GERMANS.

MINIST, via Ameterium and Len-in. Feb. 5.—Official denial was made day of the amerumement from Petro-ad on Feb. 5 that a Russian sub-

Lired, Nervous Aca and Women

TOOTS ENGISION

WHEAT CORNER TALK **SENDS PRICE KITING** TO NEW HIGH RECORD

Federal District Attorney Hints at Possible Action on Reported Squeeze.

CHICAGO, Feb. 5.-Following perstent but unconfirmed reports that man of great wealth" will attempt to corner May wheat, that grain shot to a new high price record to-day. Thirty minutes after the Board of Trade began business May wheat jumped to \$1.66% per bushel and later went to \$1.67.

Traders insisted that speculation has nothing to do with the situation. Federal District Attorney Clyne. when asked regarding a report that he had been "tipped off" regarding an attempted corner, merely said, "I have nothing to say now. I will 4 make a statement later in the day." Later Ciyne said he suspected a well laid plan to corner May wheat and force the price up to \$2 per

bushel.

"We are making a thorough investigation of the information, and expect sensational developments within the next day or two," Clyne said. "I do not know whether it will be in Chicago or not. Duluth, Kansas City, Minneapolis, Buffalo and other large wheat marts may be entered to-day or to-morrow by the buyer or syndicate of buyers, dominated, I believe, by one man."

DEMOCRATS SEEK WAY TO SOLVE SHIP BILL PROBLEM IN SENATE

Still Lack Votes to Win and May Consider the Gore Substitute Measure.

WASHINGTON, Feb. 5. - Demo ratio leaders in the Senate in a furher effort to save the Administra tion Ship Purchase Bill were to-day lerity leaders have so far failed to carry out their plan to recommit the

One plan under consideration is to scommit the bill without instruction so as to bring it up again on a motion to discharge the committee if it falled to return the measure with amend ments recommended by the cauci lome of the leaders favor this plan if assured of enough votes to carry it.

plied to Justice Cobalan in the Su-A new angle to the parliamentar preme Court to-day to have their situation developed when Benator Gore, who yesterday introduced a The Katsenbergers in their petition substitute bill, referred to the Comasserted they travelled recently in England and France on matters conmerce Committee, moved that the ommittee be discharged from onsideration. The Gore bill is nessure the Administration Demorats want to submit for final action The motion went over without ac-

and annoyance."

Denying the application, Justice Cohalan said: "Grounds such as these should not appeal to any court, and they certainly do not appeal to me. It would be highly inappropriate for the court in a neutral nation to approve a change of name on account of a war being waged among belitigerent powers. tion for a day. On Senator Gore's motion some of unjustly convicted. amended bill before the Senate. It of a war being waged among beltiger-ent powers.

"The courts are not disposed to take cognisance in any way of the war.

If a person desires to assume a dif-ferent name from his own on a claim that it is a hardship to him because he is a descendant from ancestors coming from a particular country, he is at liberty to do so. An appeal to the courts is not essential for that purpose." would eliminate action on Senator Clarke's metion to'recommit. Republican leaders insist they would re-

sume their fight. Notwithstanding the determined atitude of some of the Administration have told President Wilson that hould the bill be amended to meet he views of Progressive Republicans it would lose the support of more Democrats.

DIES AS A FUGITIVE Administration Democrats claimed upport of Senator Kenyon for the Gore motion, which probably would net be pressed, however, until after the Clark motion has been put, and in George M. Wagner of Philadelphia all probability carried.

NO CIVIL SERVICE FUNDS.

Finds Coffers Empty.

ALBANY, Feb. 5 .- Examination of the funds of the Civil Service Commission by the new members to-day deoliars from the trust funds of clients money on hand to pay the many run-ning expenses of the body. Money aptrustee or executor.

Wagner was promipent as a lawyer, real estate dealer and clubman.

It was believed by his associates
that Wagner had lost heavily is unpropriated to meet such expenses up to Sept. 30 next has been exhausted. The Commissioners appealed to Sens-tor Sage. Chairman of the Finance Committee, for an emergency appropriation of \$34,600.

The money that has been spent included that set aside for examination, investigation, and office expenses. It is understood that a great deal of the appropriations went for the investigation that the outgoing Commission made of the New York Municipal Commission.

Bill to Thwart Filibusters. pusters, Senator Norris to-day proposed a cloture rule to prevent any

Woman Glving Non-Skid Shoes for Horses to Needy Driver



Mrs. E. J. Post, shown above, has instituted a new charity which has for its object the relief of horses that are forced to pull heavy loads over streets made slippery by sleet or ice.

She gives to drivers, otherwise unable to afford them for their beasts thain shoes which help the horse to maintain his footing on treacherous

CHAIRMAN M'CALL TOO BUSY TO HEAR SUBWAY COMPLAINT

neeting of Jan. 6, 1914, at which the Chairman was marked as present Q. Do you recall the case of the seeple against the Poultry Trust. where, after three months' work, a conviction was secured? A. Yes. HE OPPOSED THE PEOPLE'S

CASE IN COURT. Q. The records of the Appellate Divi-sion of the Supreme Court show that on Jan. 6 you appeared as counse for the defendants on appeal to the higher court. A. That is correct. Q. Then in the morning you were its at No. 154 Nassau Street serving the people and at the Appellate Division

A. I was arguing for reversal of con-

the Democrat leaders believe they Q. But the Appellate Division did can muster enough votes to get the not agree with you? A. That is true.

tee thinks a lawyer has the right to take either side of a case he thinks right. The only question here is whether a Public Service Commissioner ought to be doing anything else except attending to his duty as

Q. Mr. Whitney kept a memoran-dum, if he was there, but if he wasn't there no records were kept? A. There was some record. Q. I've not been able to find any of these records. Wouldn't a private of these records.

to do of the regular meetings, to see what the commission was doing? A. Well, Jes; but I've not taken any exception whatever to what you've done. Please understand that. DIDN'T KNOW THERE WERE ANY VIOLATIONS.

Q. You said it was physically im-Q. You said it was physically impossible to take up examination of violations of orders, and yet you found time to practice law? A. I never knew about any order that was being violated—orders that were issued before I took office. The correspondence was carried on by the Commissioner who had them in charge. (Mr. Eusus, no longer a member.) My hands were full of other business. I did everything that a human being could do to acquaint myself with the workings of the commission. I was absorbed at first in myself with the workings of the com-mission. I was absorbed at first in the contracts for the dual subways. If I had the light you had, Col. Hay-ward, and went directly in search for the orders I probably could have in-formed myself as quickly as you did. Senator Mills—Wasn't the informa-tion available in the daily press? A. No. siz.

Q. Wasn't there information in the daily newspapers of insufficient service in non-rush hours? A. Oh, yes, sporadically, except lately, when they have been saying everything. But some of the newspapers I pay no attention to. My attitude would be exactly opposite what they state.

Chairman Thompson—Do you want to specify them? A. I have no hesitancy and never have had.

The chairman did not press the question.

Q. What did you do when you went on the commission to find out the procedure of the commission to find the procedure of the procedure of the procedure of the procedure of the commission to find the procedure of Wasn't there information in the

on the commission to find out the proceedings were dismissed by policy, the procedure of the commission? A. I learned that I had a disorganized transit bureau and I had it 1,880 started.

viction.

Q. And you thought it consistent to take an opposition attitude to public interests? A. I thought it not only proper but an excellent thing to do to defend these men whom I thought unjustly convicted.

Q. Hut the Appellate Division did not agree with you? A. That is true.

Q. Do you consider that your action violates any of the canons of the American Bar Association. A. I certainly do not. Not the slightest conflict of interest.

Chairman Thompson—The committed. should not be bothered with a mass of informal complaints, so many of them trivial. Take for instance com-plaints about lights not being bright enough or cars being behind time"—

ALL COMPLAINTS GO FIRST TO TRANSIT BUREAU.

Q. (By the Chairman). Well, houldn't matters of that sort reach else except attending to his duty as a commissioner.

EXPLAINS ABOUT \$3,000,000 in VOUCHERS.

"Then there's another matter, Col. Illayward. You read yesterday from the record that \$3,000,000 of vouchers had been named during my absence from the meeting of the Commission when, you stated. I was engaged in a private law suit. Those vouchers have to go to at least twenty people and be signed by three members of the Commission. When the matter came up before the Commission the accretary read from the calendar 'Vouchers for approval,' and they were approved, but every one of the vouchers had been gone over by the whole. All of us were thoroughly conversant with what the vouchers were for.

Q. (by Senator McQuistion)—You have referred to private discussion of matters by the commission as a commission everlantingly after that commany. He kept most persistently

month after month to remedy, despite repeated prodding letters from the secretary and chief clerk? A. Daggett was everlastingly after that committee of the whole Are there any things to be discussed which might not better be discussed which lie? A. No, but it is in the committee of the whole that we do all the important preliminary work. Don't get it into your mind that there's any suppression going on in the commission.

Q. Wers there any matters discussed which were better discussed in private? A. Yee; I think there were matters talked over when it was better to exclude the public.

Q. (Mr. Hayward) What records were kept of the meetings of the committee of the whole? A. I can't say: but I am inclined to think there were records.

Q. Mr. Whitney kept a memorandum, if he was there, but if he wasn't there no records were kept? A. There was some record.

Q. I've not been able to find any of these records. Wouldn't a private discussed.

regarding opportunities of citizens the new style of cars expected in the acted at generally appealing direct to Commissioners.

Judge McCall said any citizen could DIDN'T REQUIRE B. R. T. TO BUY most attention. War

come right to him.

Q. Now, Judge, you say that there's no reason why the public should not get to the Public Service Commission, no reason why the public should not get to the Public Service Commission, and you say that your private law practice has never interfered with the business of the Commission. Let me read you a letter writen by Secretary Travis H. Whitney to Dr. Julius Rosenberg of No. 57 East Seventy-seventh Street on Peb. 14, 1912;

"I beg to acknowledge receipt of your letter addressed to Chairman McCall protesting against the discontinuance of subway construction in Lexington Avenue south of Forty-second Street and requesting a short audience for you and Dr. John A. Wyeth, "Chairman McCall is exceedingly busy and will be unable to make any engagements for conferences regarding rapid transit matters until after relieved of the present pressure on his time."

Q. Now, these gentlemen had a hard time of it trying to see you, didn't they? A. I was busy with other matters at that time.

SAYS HE DID HAVE TALK WITH

SAYS HE DID HAVE TALK WITH

DR. WYETH. Q. The fact is that you were engaged in the trial of a private law case downtown at that time, lan't it?

A. That was not the reason; there were other matters, Commission mat-

Q. But you had time to attend to the service of private clients down-town? A. As far as that goes, I saw Dr. Wyeth. Mr. Hayward—Then Dr. Wyeth was

fortunate.

Col. Hayward rend a letter written by George S. Coleman, counsel to the Commission, dated 1911, which advised against taking to court any cziminal actions against corporations when they refuse to obey orders of the Commission. This appeared to be the settled policy of the Commission. Judge McCall emphatically sustained this saying:

Judge McCall emphatically sustained this saying:
"I don't believe the Public Service Commission should attempt to indict for misdemeanor. I don't believe the Commission should resort to public prosecutions to aid in enforcing their orders. I think mandamus proceedings followed by penalties for contempt if violated are sufficient. SHALL NOT RUN TO THE DIS-TRICT ATTORNEY.

"We should not attempt to run to the District Attorney's office simply because a train is five or ten minutes late or ten or fifteen people had to stand in a car. You would be laughed

iate or ten or fifteen people had to stand in a car. You would be laughed out of court every time you asked for penalty, particularly as in one case here where the cumulative violations would involve \$750,000 penalties. Such a condition would be bound to influence the courts. They would strain every nerve to relieve the defendant in such trivial cases of so exaggerated a penalty, and rightly so. I would commend them for it."

It developed that Secretary Whitney of the Commission took opposite ground and had written a lengthy argument in favor of instituting criminal proceedings against corporations violating the law. The practice and numerous convictions of the Interstate Commerce Commission were cited in support of the secretary's demand for more aggressive action by the New Tork City Commission.

When the session was resumed this afternoon, Chairman Thompson said to Judge McCall: "In behalf of the Committee let me say to you that we recognize your right to have counsel here, if you care to do so."

"I have no desire to do that," Judge McCall replied.

Judge McCall explained that the pressure of business referred to in the letter to Dr. Rosenberg, saying:

"On Feb. 13 and 14 I was in the Board of Estimate room in City Hall conducting hearings on Subway contracts and undoubtedly that was what occupied my time."

Going into complaints against the

ORDERED JOHNSON TO MAKE Q. All this time there had been an order which, if enforced, would have remedied these conditions. Did you know of anything about these proceedings all this time? A. I knew nothing about them until I took up the whole general situation and set Mr. Johnson to work. I was convinced that the only way was to make a general survey, starting with Queens, next Brooklyn, then Manhattan and Bronx, just as Mr. Johnson has done. You can't possibly remedy the crowded service except in some isolated instances. It is a condition and one that will grow worse.

Q. Then you think Mr. Johnson is incorrect in his report that conditions on the B. R. T. can be remedied? A. Well, I don't think conditions can be improved under the present circumstances. COMPLETE SURVEY.

present circumstances.
In answer to Col. Hayward, Chairman McCall said: "My practice of law, as you call it, was nothing more than a study of cases. It was done at dark, when you were sleeping. It was then when I was preparing my

Cases."
Q. But the courts didn't sit at night, did they? A. I did nothing in the courts but examine one or iwo the courts but examine one or two witnesses or make an argument.
Judge McCall explained, in answer to other questions, that he had always found corporations ready and willing to help out in the matter of improvements and the rectification of errors. "I say this not as a champion, but in all fairness.

A new line of inquiry was started on B.R. T. antiquated cars and worn out equipment which the Public Service Commission has refused to order replaced because it "would en.

NEW CARS.

NEW CARS.

Q. Is it the policy of the commission not to require this corporation to furnish adequate cars fit for human beings to ride in because it would "entail unnecessary loss"? A. No, it is not, but it would be ridiculous to require furnishing a type of car that would soon be discarded. The B. R. T. is now buying numbers of news care, very heavy and very large, that they cannot use on the present structure.

Q. Yes, we will have a photograph of a steel car, the only steel car in captivity, on the B. R. T. Just to show what the equipment is I have here a table, checked by your statistician, which shows the age of B. R. T. cars. It shows as follows:

BASEBALL CONTRACT ONE-SIDED, SAYS COURT **DECIDING FOR PLAYER**

Appellate Division Orders New Trial of Pitcher Hageman's Suit Against Boston Club.

Opinions involving millions of dolars' worth of property have been written on one page of ordinary foolscap, but for a weighty problem like baseball it required seventeen pages of paper to-day to set forth the diversified opinions of the Justices of the Appellate Division of the Su preme Court in the suit brought by the Baseball Players' Fraternity known among the fans as the ballplayers' union, against the Bostor American Club on behalf of Kur M. Hageman, a pitcher.

The suit was decided in favor of the Boston Club in the Supreme Court, but reversed by to-day's decision, and a new trial ordered. Hageman was a pitcher, who, on Sept. 18, 1911, signed up with the Boston Red Sox for the season of 1912 at \$400 a month. After playing one month with that club he was ordered to report to the Jersey City Club. That club juggled him

City Club. That club juggled him into a position where efforts were made to unload him on Denver at \$250 a month, instead of \$600. It appeared that the contracts he held gave the managers the right to shift him around any place and any time and cut his salary.

Justice Laughlin, writing the prevailing opinion, held that the contract held by Hageman with the Boston Americans was one sided and drawn in the interest of the owners without much regard for the rights of the Players' Fraternity, to whom Hageman had assigned his claim, and that the Boston Club had no right to transfer him to another club except at the salary named in the contract.

London Stocks Steaty. LONDON, Feb. 5 .- The prope blockade of England had little effect

"DEAF AND DUMB" BOY HELD.

the Reformatory.

of eighteen, who called A boy of eighteen, who called the Charles Taylor of California, was arrested last evening at Thirty-second Street and Seventh Avenue by Detective O'Toole. He had been circulating a card stating he had lost speech and a card stating he had lost speech and

a card stating he had lost speech and hearing through scarlet feyer and asting money. He had \$7.35 in his pockets.

Lieut. Quackenbush, who knows ten languages, besides the code of the deaf and dumb, told Magistrate Breen at Yorkville Court this afternoon the boy is a faker, with not one of the symptoms of a deaf mute. The Magistrate seat the lad to the Reformatory to Stay till he is twenty-one. O'Tools testified he is looking for Louis Perry, who, they say, has trained boys to this reguery in all parts of the country.

NEW ORLEANS WINNERS.

FIRST RACE.

Maiden three-year-olds and upward; six furlongs.—W. C. West, 103 (Matthews), 8 to 1, 3 to 1 and 3 to 2, first; Jefferson, 103 (Pool), 4 to 1, 8 to 5 and 7 to 10, second; Phil T., 108 (Lilley), 13 to 5, even and 1 to 2, third. Time, 1.16 4-5.



Mary Fuller

Universal Movie Star wearing an advanced Spring Style London Feather Hat \$5 to \$10

Condon feather G

Nature provides some rhere everything grows



White Rose Coffee, Only 35c. a Post



HE Millions who enjoy Loft Candy know that when we say VALUES, that word means everything that Webster intended for it when he compiled the great American Dictionary. During our business career of over a half century we have always handled the word VALUES with extreme care. For this reason: It's use always signals worth-while opportunities, measured by the rule of both QUALITY and ECONOMY. As a forceful demonstration, we present the following: Advertised Specials are on sale at all our stores:

Special for Friday, Feb. 5th. lection of delicious Jellies, produced from fresh, pure fruits, made in the form of slices and crystallized. Presented is colonded variety of tasty flavore.

POUND BOX 10C

CHOODLATE COVERED CREOLE PEPPERNINT PATTIES—A sweet which will make a strong aspent to every lover of the Checalete Peppernins. These are big, toothecute distinct framework of fragrant, velvey Checalete, have a fragrant velvey Checalete, have been supported by the control of the co RIDAY AND SATURDAY

EXTRA SPECIALS FOR CHOCOLATE COVERED PRANUT MEXICAN STYLE PECAN

CLUSTERS—The Pennuis used in this confection are the Fride of the South, full grown and full flavored, perfectly reasted, clustered and cov-ered in our incomparable Checolate. Our reg. 25c goods. POUND BOX MILK CHOCOLATE COVERED FRESH TANGERINES—The avectost member of the Orango family. These are riperted to a golden richness, and the integer as award as honey. After cutting into dainty northuse, and asbasering reason, each piece is insuriously covered with our less-continued of the continued of

FOUND NOT 390

Cheese 11.50 p.m. Daily
Cheese 11.50 p.m. Daily
Cheese 11 p.m. Daily
Cheese 11.50 p.m. Daily

The New (\$1) Silk Stocking A new value silk stocking with twice the usual amount of finest, pure silk. We call this atocking "GOTHAM 100" because the silk is 100% pure and you set 100% pure and the pure to the pure shades matched to your sample in 24 hours without catra charge!

The genuine have GEASHIPS stamped on the toe. Buy a pair to-morrow morning. You will never go back to the old kind. **GOTHAM HOSIERY SHOP**

Just 4 war between 5th Ave. and

DIED.

MITCHELL.—IDA MARGARET, beloved daughter of Walter S. and Ida Arness Mitchell (nee Connolly).

Funeral Saturday, 9.30 A. M.; thence to the Church of Our Lady of Mersy, Marion Ave. and Fordham Road. Interment St. Raymond's.

terment St. Raymond's. MURPHY.—On Feb. 3, MARY KEARNEY, native of County Roscommon, Ireland, wife of Patrick Murphy, native of Valencia, County Kerry, Ireland, at her house, 28 Chapel st., Brooklyn; daughter of the inte William Kearney and Mary Cayferty; survived by four children, William, Jeremiah, May and Theresa, and three sisters, Winifred, Nellie and Katherine.

Funeral services Saturday, 0.30 a. 1.
St. James's Pro-Cathedral, Jar et Squiem mass. Interment Culvary Com-

wagethers the court of the cour